

Docket No.: 65792(46342)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eiji Sunahara et al.

Application No.: 10/584,183

Confirmation No.: 1851

Filed: January 3, 2007

Art Unit: 1653

For: PREVENTIVE/REMEDY FOR CANCER

Examiner: A. Holleran

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the Office Action mailed March 19, 2009 in connection with the above-referenced application.

Applicant respectfully requests reconsideration of the Restriction Requirement on the grounds that consideration and examination of the groups specified in the Restriction should not impose an undue burden. Additionally, significant expense and time would be saved if all of the groups (i.e., all pending claims) were searched and examined at this time.

In accordance with the requirements of the Office Communication, Applicants hereby elect Group I, claims 1-14. Applicant further elects Species (a), antibody that bind to SEQ ID NO: 1, SEQ ID NO: 4, SEQ ID NO: 7, SEQ ID NO: 10. It is submitted that all of the claims encompass the elected species.

The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter of the application. Applicants reserve the right to file divisional application(s) on the non-elected claims.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested. If for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. 04-1105, under Order No. 65792(46342).

Dated: April 21, 2009

Respectfully submitted,

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